

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79465

Naoko ITO, et al.

Appln. No.: 10/761,364

Group Art Unit: 2144

Confirmation No.: 3421

Examiner: Saeed S MIRZADEGAN

Filed: January 22, 2004

For: PRESENCE SYSTEM AND INFORMATION PROCESSING EQUIPMENT, DYNAMIC BUDDY LIST GENERATION METHOD IN PRESENCE SYSTEM, AND PRESENCE NOTIFICATION DESTINATION CONTROLLING METHOD AND ITS PROGRAM FOR USE WITH PRESENCE SYSTEM

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese Patent Application Publication No. 2004-030371 A, published January 29, 2004.
2. Patent Cooperation Treaty International Publication No. 2004/008178 A3, published January 22, 2004.
3. Japanese Patent Application Publication No. 2006-511853 A, published April 6, 2006.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98
U.S. Appln. No.: 10/761,364

Attorney Docket No.: Q79465

merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits a copy of corresponding Japanese Office Action issued December 9, 2008 and an English translation of the pertinent portions thereof which cites such documents and indicates the degree of relevance found by the foreign office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Howard L. Bernstein/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 21, 2009

Howard L. Bernstein
Registration No. 25,665

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79465

Naoko ITO, et al.

Appln. No.: 10/761,364

Group Art Unit: 2144

Confirmation No.: 3421

Examiner: Saeed S MIRZADEGAN

Filed: January 22, 2004

For: PRESENCE SYSTEM AND INFORMATION PROCESSING EQUIPMENT, DYNAMIC
BUDDY LIST GENERATION METHOD IN PRESENCE SYSTEM, AND PRESENCE
NOTIFICATION DESTINATION CONTROLLING METHOD AND ITS PROGRAM
FOR USE WITH PRESENCE SYSTEM

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed
concurrently herewith was first cited in any communication from a foreign patent office in a
counterpart foreign application not more than three months prior to the filing of said Information
Disclosure Statement.

Respectfully submitted,

/Howard L. Bernstein/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Howard L. Bernstein
Registration No. 25,665

STATEMENT UNDER 37 C.F.R. § 1.97(e)
U.S. Application No.: 10/761,364

Attorney Docket No.: Q79465

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 21, 2009